

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

JAMES NEWTON II,)
Plaintiff,)
v.)
STANDARD CANDY COMPANY, INC.,)
Defendant.)

8:06CV242

ORDER

Upon notice of settlement given by the parties' "Notice of Settlement" (Filing No. 169) filed on November 10, 2008,

IT IS ORDERED that:

1. **On or before December 31, 2008**, the parties shall electronically file a joint stipulation for dismissal (or other dispositive stipulation) and shall submit to Joseph F. Bataillon, at *bataillon@ned.uscourts.gov*, a draft order which will fully dispose of the case. If the case is being dismissed, the stipulation shall comply with Fed. R. Civ. P. 41(a) and shall state whether the dismissal is with or without prejudice.

2. Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice in accordance with NECivR 68.1.

DATED this 2nd day of December, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge